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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Lillian Pillitteri

Serial No.: 10/826,975
Filed: April 16, 2004
Art Unit: 1751
Examiner: Hardee
Applicant: Ogden et al.
Title: FABRIC SOFTENER SYSTEM AND METHOD FOR USE
IN CLOTHES DRYER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Attached is a Notice of Non-Compliant Amendment mailed January 13, 2005 in which an objection was made to the application, as filed, on the basis that "continuing data should be on separate page marked spec." The undersigned telephoned Legal Instruments Examiner Paul Neal upon receipt of the Notice and was advised that the transmittal papers filed with the application contained a request to amend the application by inserting "This is a continuation-in-part of Serial No. 10/119,343 filed on April 8, 2002 which claims priority under 35 U.S.C. §120." See attached copy. It was pointed out to Examiner Neal that page 1 of the application as filed, under the heading "Related Application," includes an appropriate claim of priority to the parent application and identifies the subject application as a continuation-in-part. The request in the application transmittal papers was made in error, and the undersigned requested that it be ignored in view of the priority request made in the application itself, as filed. After consulting with a superior, Examiner Neal advised the undersigned that the claim of priority in the application was acceptable and no response to the Notice of Non-Compliant Amendment was required.

Applicants respectfully request written confirmation that no response to the Notice of Non-Compliant Amendment is required, and that the requirement in the Notice has

been withdrawn. The Examiner is urged to contact the undersigned at the telephone number given below to discuss this matter if anything further is needed.

Respectfully submitted,

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